

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

**MICHAEL KREG SHEPPARD,

DEBTOR,**

**NATIONWIDE JUDGMENT
RECOVERY, INC.**

Plaintiff,

vs.

**MICHAEL KREG SHEPPARD,

Defendant.**

) **CASE NO. 20-02895-5-DMW**
) **CHAPTER 13**
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) **ADVERSARY PROCEEDING NO.**
) **20-00135-5-DMW**
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**PRE-ANSWER MOTION TO DISMISS COMPLAINT TO DETERMINE
DISCHARGEABILITY OF DEBT**

NOW COMES Defendant Michael Kreg Sheppard, by and through undersigned counsel and moves the Court, prior to the time to answer the Complaint, and pursuant to Bankruptcy Rule 7012(b)(6) incorporating Federal Rule of Civil Procedure 12(b)(6), to dismiss Plaintiff's Complaint as it fails to state a claim upon which relief may be granted.

In support of the foregoing Motion, Defendant offers his Memorandum of Law in Support of Defendant's Motion to Dismiss filed contemporaneously with this Motion to Dismiss.

WHEREFORE, Defendant respectfully requests that the Court enter an Order including the following relief:

- A. That Plaintiffs' Complaint be dismissed in its entirety; and
- B. That Defendant have such other and further relief as is just and proper.

Respectfully submitted this the 25th day of January, 2021.

SASSER LAW FIRM

By: s/ Travis Sasser

Travis Sasser, State Bar No. 26707

2000 Regency Parkway, Suite 230

Cary, N.C. 27518

Tel: 919-319-7400

Fax: 919-657-7400

CERTIFICATE OF SERVICE

I, Travis Sasser of Cary, NC, certify:

That I am, and at all times hereinafter mentioned, was, more than eighteen (18) years of age;

That on the date stated, I served copies of the foregoing Motion, postage prepaid, U.S. regular, first class Mail, enclosed in an envelope properly addressed to the persons and entities listed below:

Mark A. Pinkston
Attorney for Plaintiff
Served Electronically

John F. Logan
Chapter 13 Trustee
Served Electronically

Marjorie K. Lynch
Bankruptcy Administrator
Served Electronically

Michael Kreg Sheppard
7009 Marsham Way
Wake Forest, NC 27587

I certify under penalty of perjury that the foregoing is true and correct.

This the 25th day of January, 2021.

SASSER LAW FIRM

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